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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/426,023	10/25/1999	HEINZ BOSS	GR-27	1319

7590 05/15/2003

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EXAMINER

SHAPIRO, JEFFERY A

ART UNIT

PAPER NUMBER

3653

DATE MAILED: 05/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 21

Application Number: 09/426,023
Filing Date: October 25, 1999
Appellant(s): BOSS, HEINZ

MAILED

MAY 15 2003

GROUP 3600

Friedrich Kueffner
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 3/4/03

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

The rejection of claims 1-10 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,777,443	CHANG	7-1998
4,789,147	BERGER ET AL	12-1988
4,384,709	McCAIN ET AL	5-1983
3,917,252	HARDER ET AL	11-1975
3,966,185	McCAIN ET AL	6-1976
4,121,818	RILEY ET AL	10-1978
4,149,711	JACKSON	4-1979
4,395,031	GRUBER ET AL	7-1983
4,493,482	VALENTI ET AL	1-1985
4,768,766	BERGER ET AL	9-1988
5,114,128	HARRIS JR. ET AL	5-1992
5,678,812	HARTSOE	10-1997
5,685,533	HARTSOE	11-1997
5,810,346	JORG	9-1998
5,819,663	KLAAS ET AL	10-1998
5,957,263	ESPENSCHIED	9-1999
5,967,503	NEWSOME	10-1999
5,974,150	KAISH ET AL	10-1999
6,019,047	KLAAS ET AL	2-2000

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6,082,724	KAHLIG ET AL	7-2000
6,095,511	JAGER	8-2000
6,095,740	HOLLENSTEIN ET AL	8-2000
6,105,955	RAWLINGS ET AL	8-2000
4,121,818	RILEY ET AL	6-1988

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-10 are rejected under 35 U.S.C. 102(b). This rejection is set forth in prior Office Action, Paper No. 7.

(11) Response to Argument

For the above reasons outlined in the final office action, it is believed that the rejections should be sustained.

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Respectfully submitted,

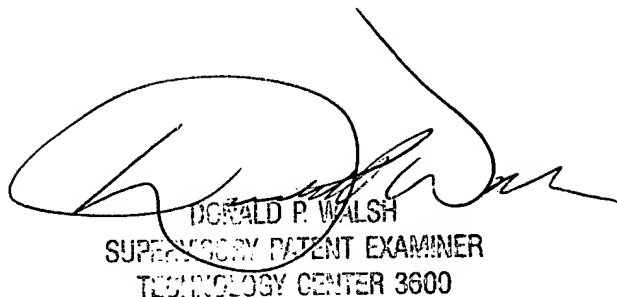


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May 13, 2003

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